

ANDREW J. WEILL (SBN 073093)
weill@bwmlaw.com
BENJAMIN, WEILL & MAZER
A Professional Corporation
235 Montgomery Street, Suite 760
San Francisco, California 94104
Telephone: (415) 421-0730

)	Case No. C07 04231 CRB
PENN ENGINEERING &)	
MANUFACTURING CORP., and)	[PROPOSED] ORDER
PEM MANAGEMENT, INC.,)	GRANTING MOTION TO
)	COMPEL PLAINTIFFS TO
Plaintiffs,)	PRODUCE DAMAGES
v.)	ANALYSIS
)	
PENINSULA COMPONENTS, INC.,)	Hearing Date: October 10, 2008
)	
Defendant.)	Hearing Time: 10:00 a.m.
)	

1 the Court. Based on all facts in evidence and the arguments, the Court concludes
2 that Defendant Pencom's Motion to Compel Plaintiffs to Produce Damages
3 Analysis should be GRANTED.

4 IT IS ORDERED THAT:

5 1. PEM is to comply with its obligations under Federal Rule of Civil
6 Procedure 26 and provide an adequate computation of damages for each category
7 of damages it alleges no later than October ____, 2008.

8 2. The stipulated Court schedule in place for this matter shall be
9 postponed such that all dates are moved four months into the future to
10 accommodate Pencom's need to conduct discovery on PEM's damages
11 computation.

12 3. If it is shown that the recent mediation was unsuccessful due to
13 PEM's failure to provide a timely damages computation at the start of this
14 litigation, PEM shall bear the cost of an additional mediation before Former
15 Judge Infante no later than December 15, 2008. Such a showing may be made by
16 the lodging of declarations from the parties with this Court.

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19 Dated: _____, 2008

20 _____
21 Charles R. Breyer
22 United States District Judge
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